

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Chief, Criminal Division

EUMI L. CHOI (WVBN 722)
Assistant United States Attorney

150 Almaden Boulevard
San Jose, California 95113
Telephone: (408) 535-5061
Facsimile: (408) 535-5066
Email: Eumi.Choi@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 11-00217 DLJ
)	
Plaintiff,)	STIPULATION AND []
)	ORDER EXCLUDING TIME FROM JUNE
v.)	9, 2012, THROUGH JULY 26, 2012,
)	FROM THE SPEEDY TRIAL ACT
JENNIPHER HERNANDEZ)	CALCULATION (18 U.S.C. §
)	3161(h)(7)(A),(B))
Defendant.)	
)	
)	

A status hearing is currently set for June 7, 2012, on the Court's calendar. Due to ongoing discussions between counsel about a potential resolution of the matter, the parties have agreed to seek to move the hearing date to July 26, 2012, if that date is available to the Court.

The United States hereby submits this written request for an order finding that said time is excluded under the Speedy Trial Act, 18 U.S.C. § 3161, in that the ends of justice are served by taking such action and outweigh the best interests of the public and defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The failure to grant such a continuance would unreasonably

1 deny counsel for the government the reasonable time necessary for effective preparation, taking
2 into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).
3

4 DATED: June 6, 2012

MELINDA HAAG
United States Attorney

6
7 /s/
EUMI L. CHOI
Assistant United States Attorney

8
9 /s/
ROBERT LYONS
Attorney for Defendant

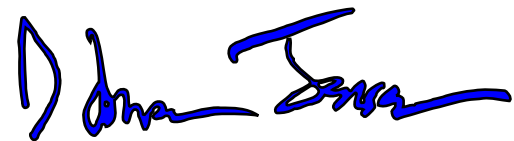
11 **ORDER**

12 Based upon the stipulation of the parties, and for good cause shown, the Court HEREBY
13 ORDERS that the time from June 7, 2012, through July 26, 2012, is excluded under the Speedy
14 Trial Act, 18 U.S.C. § 3161. The Court finds that the ends of justice are served by taking such
15 action and outweigh the best interests of the public and defendant in a speedy trial. 18 U.S.C. §
16 3161(h)(7)(A). The failure to grant such a continuance would unreasonably deny counsel for
17 defendant the reasonable time necessary for effective preparation, taking into account the
18 exercise of due diligence. The Court therefore concludes that this exclusion of time should be
19 made under 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).
20

21 IT IS SO ORDERED.

22 

23 DATED: _____



24 D. LOWELL JENSEN
United States District Court Judge